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JUL 09 2005

SERIAL NO. 09/891,337

DATE: July 9, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re application of: | : | Group Art Unit: 3639 |
| Grande, et. al. | : | Intellectual Property Law Department |
| Serial No.: 09/891,337 | : | International Business |
| Filed: June 26, 2001 | : | Machines Corporation |
| Title: <u>System and Method for Dynamic</u> | : | Intellectual Property Law Dept. |
| <u>Price Determination in</u> | : | 11400 Burnet Road |
| <u>Differentiated Services Computer</u> | : | Austin, Texas 78758 |
| <u>Networks</u> | | |

INFORMATION DISCLOSURE STATEMENT

The Commissioner of Patents
Washington, D.C. 20231


Sir:

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such. In accordance with 37 CFR § 1.97(g) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56 (a) exists.

The attached form, PTO-1449, provides a listing of patents, publications, or other information as required by 37 CFR § 1.98 (a)(1). A copy of each listed item that is not a U.S. Patent document, is supplied herewith.

Respectfully submitted,

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Page 1 of 1

Atty Ref. No. IBM-1021

In Place of FORM PTO-1449 (Modified)

Serial No. 09/891,337Applicant: Grande, et. al.Filing Date: 6/26/2001Group: 3632Atty. Docket No. AUS920010384US1**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT****U. S. PATENT DOCUMENTS**

| Examiner Initial | Document Number | Date | Name | Classification Class / Subclass | Filing Date if Appropriate |
|---------------------|--------------------|---------|--------------------|------------------------------------|-------------------------------|
| _____ | AA 6,643,258 | 11-2003 | Ise et al. | 370/230 | |
| _____ | AB 6,295,294 | 09-2001 | Odlyzko, Andrew M. | 370/389 | |
| _____ | AC 6,349,289 | 02-2002 | Peterson et al. | 705/34 | |
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| _____ | AK | | | | |
| _____ | AL | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initial | Document Number | Date | Country | Classification | Translation Yes No |
|---------------------|--------------------|---------|---------|----------------|-----------------------|
| _____ | AM JP 09-214554 A | 08-1997 | Japan | H04L 012/56 | Abstract only |
| _____ | AN | | | | |
| _____ | AO | | | | |
| _____ | AP | | | | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| Examiner Initial |
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| _____ AQ |
| _____ AR |
| _____ AS |
| _____ AT |
| _____ AU |

Examiner:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.